

**NOTICE OF THE PRELIMINARY DECISION TO ISSUE A
AN INDIVIDUAL AQUIFER PROTECTION PERMIT**

Public Notice No.: 10-09

**Published on Wednesday, September 17, 2008
Published in the Arizona Silver Belt Newspaper**

Pursuant to Arizona Administrative Code, Title 18, Chapter 9, Article 1, the Director of the Arizona Department of Environmental Quality intends to issue an individual Aquifer Protection Permit to the following applicant(s):

Facility Name: ASARCO, LLC Hayden Operations

Aquifer Protection Permit No.: P-100507

Permittee: ASARCO, LLC
ASARCO Ray Complex
Hayden Operations
P.O. Box 8
Hayden, Arizona 85235

The ASARCO Ray Complex-Hayden Operations located in Hayden, Arizona will be operated by ASARCO, LLC. The Hayden Operations receive sulfide ore from the Ray Mine via the Copper Basin Railroad. Secondary and tertiary crushing, conveying, and rod and ball milling operations are performed. This is followed by froth flotation, filtering and smelting. Tailings generated in the flotation process are deposited in two tailings impoundments. Low grade slag resulting from the smelting process is deposited in the slag deposition area. Higher grade slag and some byproducts are recycled through the crushing, milling, and flotation systems.

During the copper extraction process, procedures are employed to minimize waste products. Water is recycled within the process. Copper anodes produced by the Hayden Smelter are 98 percent pure. Sulfuric acid, produced as a co-product, is either used at the Ray Mine or sold. The primary source of fresh water for the Hayden Operations is groundwater wells located in the floodplains of the Gila and San Pedro Rivers.

All facilities at the site are considered “existing” facilities as they were built prior to August 13, 1986. Some of these facilities may have ceased operation. The APP will permit 14 “non-stormwater” impoundments, four solid waste landfills and two tailings impoundments. In addition, there are 20 storage areas to be further evaluated under the compliance schedule, and 43 facilities to be closed or further evaluated under the compliance schedule. The compliance schedule lists all facilities and requires that all facilities be described, evaluated and addressed in a permit amendment.

The draft permit and related documentation are available for public review, Monday through Friday, 8:30 a.m. to 4:30 p.m., at ADEQ, 1110 West Washington Street, Records Management Center, Phoenix, Arizona, 85007. In Phoenix, please call (602)771-4380 or e-mail RecordsCenter@azdeq.gov 24 hours in advance to schedule an appointment to review the file.

Persons may submit comments or request a public hearing on the proposed action, in writing, to Steve Vevang, Project Manager, ADEQ, Groundwater Section, 1110 West Washington Street, MC5415B-3, Phoenix, AZ 85007 within thirty (30) days from the date of this notice. A public hearing request must include the reasons for such request.